GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:361
ANSWERED ON:25.02.2000
INTELLECTUAL PROPERTY RIGHTS
RAM SHAKAL

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the World Trade Organisation has rejected the appeal of India regarding the Intellecutual Property Rights;

(b) If so, the reaction of the Government thereto;

(c) the impact likely to be on the country`s trade; and

(d) the action proposed to be taken by the Union Government in this regard ?

Answer

MINISTER OF COMMERCE & INDUSTRY (SHRI MURASOLI MARAN)
(a) to (d) The Appellate Body of WTO had upheld finding of a Dispute Settlement Panel of WTO to the effect that India had not complied with its obligations under the Agreement on Trade Related Aspects of Intellectual Property Rights relating to putting in place a mail box for receipt of applications for parents in areas of technology not protected by product patents in India so far and a system for the grant of Exclusive Marketing Rights (EMRs) to the applicant fulfilling certain conditions.Accordingly, the Patents (Amendments) Act, 1999 was passed during Budget Session of Parliament and notified after receiving the assent of the President on 26th March, 1999. However, no application for EMRs has been received in India so far.